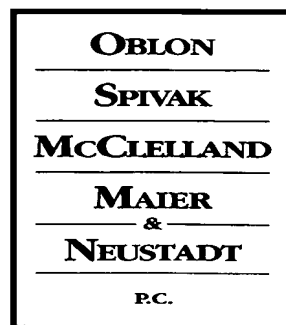




Docket No.: 240474US6YA

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/811,932  
Applicants: Hongyu YUE, et al.  
Filing Date: March 30, 2004  
For: METHOD AND SYSTEM FOR RUN-TO-RUN  
CONTROL  
Group Art Unit: 2857  
Examiner: DESTA, ELIAS

SIR:

Attached hereto for filing are the following papers:

**PROVISIONAL ELECTION**

Our credit card payment form in the amount of **\$0.00** is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
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DOCKET NO: 240474US

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
HONGYU YUE, ET AL : EXAMINER: DESTA, ELIAS  
SERIAL NO: 10/811,932 :  
FILED: MARCH 30, 2004 : GROUP ART UNIT: 2857  
FOR: METHOD AND SYSTEM FOR :  
RUN-TO-RUN CONTROL :

PROVISIONAL ELECTION

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the election requirement dated August 9, 2005, Applicants provisionally elect with traverse Group I, Claims 1-34 and 39-55, drawn to a method of controlling a semiconductor manufacturing system, classified in class 438/5, for further examination on the merits. Applicants reserve the right to file one or more divisional applications directed to the non-elected invention.

Furthermore, while the Election Requirement asserts that the application contains claims to patentably distinct inventions, MPEP § 803 states the following:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

Although the outstanding Official Action identifies different search classifications, it is believed that the claims of the present application would have to be searched in a handful of sub-classes. Furthermore, since electronic searching is commonly performed, a search may

Application No. 10/811,932

Reply to Office Action of August 9, 2005

be made of a large number of, or theoretically all, subclasses without substantial additional effort. Accordingly, Applicants respectfully traverse the Restriction Requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner, whereas it would be a serious burden on Applicants to prosecute and maintain separate applications.

Therefore, it is respectfully requested that the requirement to elect a single group be withdrawn, and that a full examination on the merits of Claims 1-55 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
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